IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 4058 of 2005

Between:

S.Rama Devi, w/o late S.Laxmi Kantha Reddy, Fair Price Shop Dealer, G.Jambuladinne Village, Allagadda Mandal, Kurnool District.

..... PETITIONER

AND

1 The Joint Collector, Kurnool.
2 The Revenue Divisional Officer, Nandyal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in issuing the proceedings in R.C.E.No.122/2005 dt.29-01-2005 as illegal, arbitrary, and violative of principles of natural justice and also against the provisions of Control Order 2001 and consequently direct the respondents to restore the authorisation of the petitioner by suspending impugned proceedings pending the appeal before the 1st respondent and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.U.RAMANJANEYULU

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

The grievance of the petitioner is that the 2nd respondent, basing on the report of the Mandal Revenue Officer, suspended his authorisation as a fair price shop dealer, pending enquiry.

However, it is not in dispute that an appeal had been preferred by the petitioner before the 1st respondent against the order of the 2nd respondent and the same is pending. However, it is submitted that a petition filed for stay of the operation of the impugned order was dismissed by the appellate authority.

In that view of the matter, I am not inclined to continue the writ petition and the same is accordingly dismissed at the stage of admission. No costs. However, the appellate authority is directed to dispose of the appeal preferred by the petitioner as expeditiously as possible, preferably, within a period of eight weeks from the date of receipt of a copy of this order.

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kvsn 07-03-2005

To

1 The Joint Collector, Kurnool.
2 The Revenue Divisional Officer, Nandyal, Kurnool District.

3 Two CCs to the GP for Civil supplies, High Court buildings, Hyderabad.

4 Two CD copies.